



Clermont County Public Health

Prevent. Promote. Protect.
**Clermont County General Health District
Board of Health Meeting**

The Clermont County Board of Health held its monthly meeting on June 8, 2022. Dr. Rickabaugh, the President, called the meeting to order at 6:30 PM. Dr. Rickabaugh led the Board Members and guests in the Pledge of Allegiance.

Call to Order: Dr. Janet Rickabaugh, present Dr. Joseph Khan, absent
Andrew Crum, absent Dennis Brown, present
Steve Meadors, present

Others present included Tim Kelly, the Assistant Health Commissioner of Environmental Health Services; Maalini Vijayan, the Assistant Health Commissioner of Community Health Services; Tara Jimison, the Director of Nursing; Robert Wildey, the Director of Water and Waste; Brian Williamson, the Director of Environmental Health; Dr. James Kaya, the Medical Director; Claudia Kadon, an Environmental Health Specialist-in-Training; Katrina Stapleton, the Fiscal Officer; Julia Carney, an Assistant Prosecuting Attorney; and others as listed on Attachment #1.

Consent Agenda:

- 1. Approval of Board of Health Meeting Minutes for May 11, 2022-** Recommendation to approve the minutes from the May 11, 2022 Board of Health Meeting.
- 2. Variances Black Water Holding Tank Extension Requests -** Recommendation to approve extending the variance requests for black water holding tanks for an additional month.
 - a. Wolfson- 3976 Greenbriar, Batavia Township (38-V-21)
 - b. CCET, LLC- 880 Roundbottom Road, Union Township (44-V-21)
 - c. Gibson- 3532 Taylor Rd, Jackson Township (3-V-22)
 - d. Yackey- 5742 Baas Rd, Stonelick Township (5-V-22)
 - e. Burns- 2487 Cedarville Rd, Goshen Township (14-V-22)
 - f. Moore- 3906 Turtles View, Williamsburg Township (15-V-22)
- 3. Approval to Sign the Cities Readiness Initiative Contract Renewal with the Hamilton County General Health District-** Recommendation to approve the Health Commissioner signing a contract renewal with the Hamilton County General Health District for support of a regional Cities Readiness Initiative Coordinator from July 1, 2022, to June 30, 2023, in the amount of \$7,224. (Attachment #2)
- 4. Approval of the Clermont County Family and Children First Memorandum of Understanding-** Recommendation to approve the Health Commissioner signing a memorandum of understanding with Clermont County Family and Children First for \$3,000 in support effective July 1, 2022, to June 30, 2023. (Attachment #3)
- 5. Approval of Request for Advancement of All Available Township and Village Monies-** Recommendation to approve the request for the advancement of all available township and village monies. (Attachment #4)
- 6. Approval to Accept the Resignation of Megan Young, Administrative Assistant 1 in the Administration Division -** Recommendation to accept the resignation of Megan Young, Administrative Assistant 1 in the Administration Division, effective June 2, 2022.

Mr. Brown made a motion to approve consent agenda items #1 through #6. Mr. Meadors seconded the motion.

Non-Consent Agenda:

Variances:

Isolation Distance at 1811 Franklin Meadows, Monroe Township (17-V-22) - Mr. Kelly stated that David Rains requested approval to construct a new deck and fence for a future pool installation at 1811 Franklin Meadows, Monroe Township (17-V-22). The proposed deck will be seven feet from the edge of the septic tank and a portion of the building sewer would be under the deck. Staff recommend approval contingent on access to the clean-out under the deck being maintained.

Mr. Meadors asked what type of system was installed at the property. Mr. Kelly stated that a sand filter was installed.

Mr. Brown made a motion to approve the request to construct a new deck and fence seven feet from the septic system at 1811 Franklin Meadows, Monroe Township (17-V-22). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #5)

New Black Water Holding Tank at 2702 Indian Summer Drive, Tate Township (18-V-22) – Mr. Kelly reported that Larry and Sheri Perry requested approval to install a black water holding tank at 2702 Indian Summer Drive, Tate Township (18-V-22). He informed the Board that all the paperwork was in order, and the staff recommended approval contingent on the tank passing a watertight test.

Mr. Meadors made a motion to approve installing a black water holding tank at 2702 Indian Summer Drive, Tate Township (18-V-22), contingent on the tank passing a watertight test. Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #6)

New Black Water Holding Tank at 2705 Indian Summer Drive, Tate Township (19-V-22) – Mr. Kelly stated that Mike and Danelle Kapraszewski requested approval to install a black water holding tank at 2705 Indian Summer Drive, Tate Township (19-V-22). He noted that all the paperwork was in order, and the staff recommended approval contingent on the tank passing a watertight test.

Mr. Meadors made a motion to approve installing a black water holding tank at 2705 Indian Summer Drive, Tate Township (19-V-22), contingent on the tank passing a watertight test. Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #7)

Mobile Retail Food Establishment for Rich Life Farm & Fungi- 1144 State Route 749, New Richmond, Peirce Township (20-V-22) – Mr. Kelly presented a request from Emalee Richman, operator of Rich Life Farm & Fungi, to vary from the Ohio Uniform Food Safety Code (3717-4.1 KK) to use a cold container to transport and sell eggs. Staff recommended approval contingent on only eggs and non-time/temperature control for safety foods being transported and that an adequate power supply is maintained while the eggs are stored, transported, or while the mobile food service is in operation.

Ms. Richman stated that a 12V battery-powered refrigerator would be used to transport eggs to farmer's markets.

Mr. Brown made a motion to approve Rich Life Farm & Fungi's request to vary from the Ohio Uniform Food Safety Code (3717-4.1 KK) to use a cold container to transport and sell eggs. Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #8)

Hearing to Suspend or Revoke the Food Service Operation License of The Ugly Goat Social Club, 416 Market Street, Felicity, OH 45120 – At 6:35 PM, Mr. Kelly called to order the hearing to

suspend or revoke the food service operation license of The Ugly Goat Social Club located at 416 Market Street, Felicity, OH 45120. He went on to outline how the presentation of testimony and opportunities for questions would proceed during the hearing. Ms. Carney then swore in Ms. Kadon, Nathan Jeffries, owner of The Ugly Goat Social Club, and Kelly Ausman, Mr. Jeffries' mother.

Ms. Kadon provided testimony on behalf of Clermont County Public Health. She stated that The Ugly Goat Social Club violated Chapter 3701 of the Ohio Administrative Code Section 21-03, titled Equipment Layout and Specifications, due to altering the menu and adding cooking equipment without prior authorization from the licenser Clermont County Public Health. The original cooking equipment, approved on July 16, 2020, included a pizza oven, cheese sauce warmer, pretzel warmer, and a Traeger pellet grill. In addition, a Blackstone outdoor grill, Charbroil outdoor grill, Instant Pot pressure cooker, and Ninja air fryer were added to support the expanded menu items. However, the added equipment was not approved by a recognized testing agency for use in a commercial food service operation.

Ms. Kadon reviewed the timeline of events to provide background on the steps taken to bring the facility into compliance. A consultation inspection was conducted on October 1, 2021, after a file review was conducted on the facility. On October 8, 2021, Ms. Kadon, Mr. Kelly, Mr. Jeffries, Ms. Mahaffey, operator of the facility, and the Franklin Township Fire Chief Moore met to discuss the expansion of equipment and menu without approval. She stated that Mr. Jeffries was provided three options to bring the food service operation into compliance to support the expanded menu items. The options included installing a commercial grade cooking system with built-in, hood ventilation and fire suppression system, securing a mobile food service unit to sell food, or installing a commercial ventilation hood and fire suppression system. Mr. Jeffries verbally agreed to proceed with one of the three options to bring the facility into compliance within sixty days. On December 10, 2021, Clermont County Permit Central received plans to install a commercial ventilation hood and fire suppression system and flat top grill in the kitchen. The food service review approved the plans; however, they were denied by the Plumbing Division and Building Department due to being incomplete. Plans were resubmitted on June 3, 2022, but again rejected on June 7, 2022, due to additional information being needed.

Mr. Kelly asked if anyone from The Ugly Goat Social Club had questions for Ms. Kadon. Mr. Jeffries had no questions for Ms. Kadon.

The Board of Health was allowed to ask questions of Ms. Kadon. Mr. Brown asked for clarification on the duration of the violation. Ms. Kadon stated that October 1, 2021, was the first consultation following the file review.

Dr. Rickabaugh asked if there were complaints from customers. Ms. Kadon was not aware of any complaints against the facility.

Mr. Kelly asked if the fire department raised any concerns regarding the additional equipment used during the October 8, 2021 meeting. Ms. Kadon recalled problems with the grills' location concerning the building.

Mr. Meadors asked whether outdoor grills or griddles were being used. Ms. Kadon stated that the Blackstone might be a griddle.

Mr. Jeffries provided the history of his ownership of the facility. He was of the understanding that as long as the grill had a cover and was on concrete, he could use it. The business grew more than he anticipated, leading to the expanded menu and equipment. He recounted communication issues with the fire department and compliance with the fire code.

Mr. Jeffries relayed his frustrations and misunderstandings of the compliance issues. To bring the facility into compliance, he hired a former real estate client that owned a construction company to install a hood ventilation system. Unfortunately, it became evident to Mr. Jeffries between December 2021 and April 2022 that the contractor did not possess the skills necessary to bring the facility into compliance.

Mr. Jeffries noted he was repeatedly advised to return the original menu when no progress was made in his attempts to bring the facility into compliance. However, he felt returning to the original menu was an impasse as the expanded menu options were necessary for the success of his business. Mr. Jeffries agreed the main objective was to get the cooking operation indoors.

Following a disagreement with the original contractor, Mr. Jeffries hired Commercial HVAC to complete the work. Four days prior, the Commercial HVAC contractor advised Mr. Jeffries that he would need to hire an electrician. Mr. Jeffries expressed his frustration with not being informed at the project's outset that an electrician was needed. He noted a lack of confidence in the plans being submitted by the contractor based on requirements outlined by his architect. Mr. Jeffries enlisted Scott Greene with Safeway Electric to assist with the project. Mr. Greene recommended that Mr. Jeffries hire Dayton Hood and Fan to complete the installation. A Dayton Hood and Fan representative visited the facility earlier in the day. They spoke with Mr. Jeffries and the architect about what would be required to complete the project and who was responsible for each task. The architect was to submit plans to the Building Inspection Department via email earlier in the day.

Mr. Jeffries stated he was not trying to buck the system. He wanted a safe establishment and wanted to serve the Felicity community. He noted that cleanliness was of utmost importance to him. Mr. Jeffries hoped the facility would comply by the end of August. He apologized for lacking communication with the Environmental Health staff as he works multiple jobs.

Mr. Jeffries noted his mother had some commercial equipment from a previous facility available for use that he would like to discuss with Ms. Kadon. Ms. Ausman stated she reviewed the current menu and offered spec sheets for commercial-grade equipment that would allow for expanded menu items. Mr. Kelly clarified that the subject of the hearing was the installation of the hood ventilation system; options for expanded menu items could be discussed with Ms. Kadon after the hearing.

Mr. Kelly asked Ms. Kadon if she had any questions for Mr. Jeffries. Ms. Kadon did not have any questions for Mr. Jeffries.

Mr. Kelly asked the Board if they had any questions for Mr. Jeffries. Mr. Brown asked why the Building Department was not approving the plans for the hood system. Mr. Jeffries didn't think the issue was that the plans were being disapproved, but rather, the problem was the original contractor not submitting plans for five months. Ms. Ausman stated it was her understanding that incomplete plans were submitted twice. Mr. Jeffries then recalled missing a floorplan from the original Plan's submission. He was unsure of the status of the plans submitted by Commercial HVAC. Ms. Kadon stated that as of June 7, 2022, the building, plumbing, and fire code reviews were not approved. Corrections for building code review required an application for the commercial kitchen hood fire suppression system, providing complete electrical equipment drawings and documents, commercial kitchen hood mechanical drawings, including ductwork. The plumbing code review was denied because the grease interceptor design and plans were missing.

Mr. Jeffries again expressed frustration over the contractors he hired not providing adequate service and communication about the project requirement.

Mr. Meadors asked if Dayton Hood and Fan sold the hood ventilation systems and installed them. Mr. Jeffries stated that the contract with Dayton Hood and Fan covered the equipment, labor, and permits. The only thing not included was electrical work which Scott Greene would handle. Mr. Jeffries anticipated receiving the contract the following Wednesday. He would send a copy to Ms. Kadon once it was received. Mr. Meadors noted that a completion date should be included in the contract. Mr. Jeffries agreed.

Dr. Rickabaugh asked what the current status of the facility and menu is. Mr. Jeffries stated that not all of the items mentioned were still being served, but most were. Dr. Rickabaugh asked if cooking was still taking place outside. Mr. Jeffries confirmed that cooking was taking place outside ten feet from the building on concrete. Mr. Meadors asked if residential equipment was still being used. Mr. Jeffries stated residential equipment was still being used because the use of a residential grill with a cover being used on concrete is what was initially approved. He interpreted that as verbal approval to be exempt from commercial equipment use.

Mr. Jeffries and Ms. Ausman recounted conversations during the pre-licensing inspections with Bela Perler and Scott Bradley, which led them to believe that adding equipment without prior authorization was acceptable.

At 7:05 PM, Mr. Brown made a motion to enter a deliberative session to discuss the suspension or revocation of the food service operation license of The Ugly Goat Social Club, 416 Market Street, Felicity, OH 45120. Mr. Meadors seconded the motion. The vote upon roll was Dr. Rickabaugh, aye; Mr. Meadors, yes; and Mr. Brown, yes. The motion carried.

At 7:32 PM, Mr. Brown made a motion to come out of the deliberative session. Mr. Meadors seconded the motion. The vote upon roll was Dr. Rickabaugh, aye; Mr. Meadors, aye; and Mr. Brown, aye. The motion carried.

Dr. Rickabaugh read to Mr. Jeffries the order to install a commercial ventilation hood and fire suppression system at The Ugly Goat Social Club, 416 Market Street, Felicity, OH 45120, and dated June 8, 2022. The order gave a deadline of August 30, 2022, for the installation of the commercial ventilation hood and fire suppression system, and ordered the facility to revert to the originally approved menu until the system was installed, inspected, and approved by Clermont County Public Health, the Clermont County Building Department, and the Felicity-Franklin Fire Department. Failure to comply with the order would result in additional action, including suspension or revocation of the food service operation license. Dr. Rickabaugh and Mr. Jeffries signed two original copies of the order; one was provided to Mr. Jeffries, and the other was retained. (Attachment #9)

Mr. Kelly suggested contacting Ms. Kadon to discuss adding menu items using commercial equipment mentioned by Ms. Ausman.

Mr. Kelly asked Mr. Jeffries if he had any questions. Mr. Jeffries asked if he could start using the additional commercial equipment the next day. Ms. Ausman clarified that he could submit a request to use the other commercial equipment. Mr. Kelly confirmed that discussing what menu items could be safely served using commercial equipment could begin the next day.

Mr. Brown made a motion to table the hearing to suspend or revoke the food service operation license of The Ugly Goat Social Club, located at 416 Market Street, Felicity, OH 45120, until the September 14, 2022 meeting. Mr. Meadors seconded the motion. The vote was all ayes, motion carried.

Public Comment:

No members of the public were present to offer comments.

Non-Consent Agenda (continued):

Approval of Tuition Reimbursement Request for Tara Jimison, Director of Nursing, to attend the University of Cincinnati Public Health Nursing Doctor of Nursing Practice Online Program- Mr. Kelly announced that Ms. Jimison was accepted to the University of Cincinnati, Public Health Nursing, Doctor of Nursing Practice Online Program and requested tuition reimbursement for eight semesters totaling \$40,163. Ms. Vijayan submitted a written nomination, and Ms. Jimison met all requirements to be eligible for tuition reimbursement. Mr. Kelly stated that Ms. Jimison might receive scholarship funds, which would lower the reimbursement. Ms. Jimison would submit for reimbursement after each semester, and her grades would be verified before disbursement of any funds. Mr. Kelly recommended approving the tuition reimbursement request of Tara Jimison, Director of Nursing, for \$40,163.

Mr. Brown made a motion to approve the tuition reimbursement request of Tara Jimison, Director of Nursing, to attend the University of Cincinnati Public Health Nursing Doctor of Nursing Practice Online Program in the amount of \$40,163. Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #10)

Approval to Apply for the Grief Recovery Method Specialist Training Certification through the Association of Ohio Health Commissioners- Mr. Kelly stated that Carrie Brown, Communicable Disease Investigator, requested to apply for Grief Recovery Method Specialist Training Certification through the Association of Ohio Health Commissioners (AOHC). The training was offered at no charge to local agencies through AOHC's workforce development funding from the Ohio Department of Health. To obtain the training, Ms. Brown would have to commit to offering grief recovery sessions to staff, regional partners, and community members over the next three years. Mr. Kelly noted this was an area Ms. Brown was passionate about, and the training would benefit the agency working in communicable disease, Child Fatality Review, and Injury Prevention. The application was already submitted as it was due at the end of May. Mr. Kelly requested the Board's approval for Ms. Brown to attend the Grief Recovery Method Specialist Training Certification through the Association of Ohio Health Commissioners if accepted to the program.

Mr. Brown made a motion to approve Carrie Brown, Disease Investigator, attending the Grief Recovery Method Specialist Training Certification through the Association of Ohio Health Commissioners if accepted to the program. Mr. Meadors seconded the motion. The vote was all ayes, motion carried.

Approval of 2022-2025 Strategic Plan – Mr. Kelly reviewed the timeline for updating the Strategic Plan, which began in 2021. He explained that all staff was involved in the process in some way. A Strategic Planning Committee, which included Mr. Brown as the Board representative, was assembled, and a smaller Strategic Planning Executive Committee that worked on developing the Plan was formed. The priorities for the agency's efforts were collaboration, organizational capacity and infrastructure, information management, and health and equity. Mr. Kelly requested approval of the 2022-2025 Strategic Plan.

Dr. Rickabaugh was impressed with the document, and Mr. Brown spoke about the amount of effort put into the Plan.

Mr. Brown made a motion to approve the 2022-2025 Strategic Plan. Mr. Meadors seconded the motion. The vote was all aye, motion carried. (Attachment #11)

Approval to Revise the Dietitian Classification, Create Nutritionist and Dietetic Technician Classifications, Update the Salary Ranges, and Update the Organizational Chart – Mr. Kelly relayed the struggles to find qualified applicants for the vacant part-time WIC Dietitian position. He explained that the state WIC program allows nutritionists and dietary technicians to be hired; however, traditionally registered or licensed dietitians were employed. Mr. Kelly noted that upon reviewing the dietitian job description, it was realized that the position was listed as a nutritionist/dietitian. A dietitian must oversee a nutritionist. The categories needed to be split into two positions, and a dietetic technician classification needed to be added. He noted these would be either/or classifications on the organizational chart; additional FTE positions were not being added. Mr. Kelly requested approval to revise the dietitian classification, create nutritionist and dietetic technician classifications, update the salary range, and update the organizational chart.

Dr. Rickabaugh asked if any current staff held nutritionist or dietetic technician certifications. Mr. Kelly stated that all existing staff were registered dietitians; this change was an attempt to broaden the potential candidate pool.

Mr. Meadors made a motion to revise the dietitian classification, create nutritionist and dietetic technician classifications, update the salary range, and update the organizational chart. Mr. Brown seconded the motion. The vote was all ayes; the motion carried. (Attachments #12-16)

Approval and Payment of Bills – Mr. Kelly presented the Health District's bills for consideration. Following the Board's review and discussion, Mr. Brown made a motion to pay the bills as presented. Mr. Meadors seconded the motion. The vote was all ayes; the motion carried. (Attachment #17)

Adoption of Resolution 09-22 Declaring Properties Public Health Nuisances – Mr. Kelly noted that four members were required to adopt a resolution as an emergency order and suggested adopting the resolution declaring properties public health nuisances be tabled until the July 13, 2022 meeting.

Mr. Brown made a motion to table the adoption of resolution 09-22 declaring properties public health nuisances until the July 13, 2022 meeting. Mr. Meadors seconded the motion. The vote was all ayes; the motion carried.

Discussion

Public Health Emergency Response (PHER) Policy – Mr. Kelly stated that given the extension of COVID funding through the middle of 2023, leadership recommends not ending the Public Health Emergency Response (PHER) Policy at this time. The policy allows flexibility for staff managing the response by allowing for higher leave accruals. Ms. Jimison added that case investigations currently handled by ODH contracted staff would transition back to local health districts in July, and the flexibility provided by the PHER policy would be very beneficial for the team given the anticipated workload increase.

Board of Health Education

Mr. Kelly suggested tabling the Board of Health Education on Ohio Sunshine Laws until the July 13, 2022 meeting since two members were absent.

Mr. Brown made a motion to table the Board of Health Education on Ohio Sunshine Laws until the July 13, 2022 meeting. Mr. Meadors seconded the motion. The vote was all ayes; the motion carried.

ADJOURNMENT:

Mr. Brown made a motion to adjourn the meeting at 7:54 PM. Mr. Meadors seconded the motion. The vote was all ayes; the motion carried.

Julianne Neskit
SECRETARY

K Stapleton
RESPECTFULLY SUBMITTED